

NOTE: THIS IS A COURTESY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE MARCH 3, 2014 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN.

## **ENVIRONMENTAL PROTECTION**

## **ENVIRONMENTAL MANAGEMENT**

## **DIVISION OF ENVIRONMENTAL SAFETY AND HEALTH**

### **Discharges of Petroleum and Other Hazardous Substances**

**Readoption:** N.J.A.C. 7:1E, Appendix A and Appendix B, without change

**Authority:** N.J.S.A. 58:10-23.11, N.J.S.A. 58:10-46 to 50, N.J.S.A. 13:1K-1 et seq., and N.J.S.A.13:1D-125 through 133

**Authorized by:** Bob Martin, Commissioner, Department of Environmental Protection.

**Effective Date:** January 27, 2014

**New Expiration Date:** January 27, 2021

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the Discharges of Petroleum and Other Hazardous Substances (DPHS) rules at N.J.A.C. 7:1E, and Appendices A and B, are readopted and shall continue in effect for a seven-year period. The rules had been scheduled to expire on February 27, 2014. The Department of Environmental Protection (Department) has reviewed these rules and has determined that the rules should be readopted because they are necessary, reasonable and proper for the purpose for which they were originally promulgated. In accordance with N.J.S.A. 52:14B-5.1(c), timely filing of this notice extended the expiration date of the chapter seven years from the date of filing.

The DPHS rules establish standards for emergency response in the event of a discharge of a hazardous substance, and establish standards for discharge prevention for major facilities storing or handling hazardous substances. The rules contain general provisions for the discharge prevention program, including definitions; standards applicable to storing, transferring, processing or using hazardous substances and to equipment and procedures utilized at major

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facilities; registration requirements for transmission pipelines; requirements for the preparation and submission of Discharge Prevention, Containment and Countermeasure (DPCC) and Discharge Cleanup and Removal (DCR) plans, including the information they are to contain and the schedules for their submission; procedures for notification, reporting, and response; administrative penalties and grace period applicability; and the handling of confidential information. There are two appendices, one of which contains the list of hazardous substances, and the other contains forms to be used to demonstrate financial responsibility for cleanup and removal activities.